

[Counsel listed on signature pages]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

IN RE: CAPACITORS ANTITRUST
LITIGATION

Master File No. 14-CV-03264-JD

THIS DOCUMENT RELATES TO:
ALL ACTIONS

**STIPULATION AND ~~PROPOSED~~
ORDER RE: DISCOVERY LIMITS
PURSUANT TO FED. R. CIV. P. 26(f)**

WHEREAS Direct Purchaser Plaintiffs (“DPPs”), Indirect Purchaser Plaintiffs (“IPPs” and, together with DPPs, “Plaintiffs”), and Defendants have met and conferred pursuant to Federal Rule of Civil Procedure 26(f); and

WHEREAS the parties have reached agreement on the enlargement of certain discovery limits, as set forth below;

THE PARTIES HEREBY STIPULATE AS FOLLOWS:

A. Interrogatories Pursuant to Fed. R. Civ. P. 33(a)

1. DPPs and IPPs each may serve 35 interrogatories per defendant family¹ named in their respective complaints. This limit does not apply to interrogatories propounded on the ACPERA amnesty applicant, but Plaintiffs and the ACPERA amnesty applicant agree to negotiate reasonable limitations on such interrogatories. DPPs and IPPs will coordinate efforts to avoid serving duplicative and/or overly burdensome interrogatories.

2. Defendants may jointly serve 25 interrogatories on each of the named DPPs and IPPs. Each defendant family may serve an additional 10 interrogatories on each of the named DPPs and IPPs pertaining to defendant-specific issues arising from the complaint(s) in which they are named. Defendants will coordinate efforts to avoid serving duplicative and/or overly burdensome interrogatories.

3. These limits on interrogatories do not apply to discovery relating to personal jurisdiction.

B. Individual Depositions Pursuant to Fed. R. Civ. P. 30(b)(1)²

1. DPPs and IPPs collectively may depose up to 10 percipient witnesses per defendant family, but no more than a total of 135 percipient witnesses. For purposes of this stipulation, percipient witnesses shall include defendants’ current employees, as well as former employees whom defendants assist in making available for deposition. Depositions of the ACPERA amnesty applicant’s percipient witnesses are not subject to the 10-deposition per

¹ A defendant family includes all affiliates of a named defendant.

² The limitations on Plaintiffs’ depositions in sections B and C below are without prejudice to Defendants’ ability to depose each of the named DPPs and IPPs pursuant to Federal Rule of Civil Procedure 30.

defendant family limit, but do count toward the total limit of 135 percipient witness depositions. Plaintiffs and the ACPERA amnesty applicant agree to negotiate reasonable limitations on percipient witness depositions. Depositions of third parties that are not part of any defendant family do not count toward the limit of 135 percipient witness depositions.

2. If any individuals have been employed by more than one defendant, they may be deposed only once. If defendants are aware of any individual noticed for deposition who has been employed by more than one defendant, and Plaintiffs have not expressed their knowledge of this fact, defendants shall make this fact known upon receipt of a deposition notice for such individual.

3. Depositions conducted in English shall be limited to 7 hours each. Depositions for which interpreters are used shall be limited to 12 hours each. These time limits do not apply to depositions of the ACPERA amnesty applicant's percipient witnesses, but Plaintiffs and the ACPERA amnesty applicant agree to negotiate reasonable limitations on such depositions.

C. Depositions Pursuant to Fed. R. Civ. P. 30(b)(6)

1. DPPs and IPPs each may notice 30(b)(6) depositions on up to 15 topics, including non-transactional data topics and transactional data topics, per defendant family named in their respective complaints. DPPs and IPPs will coordinate efforts to avoid duplicative topics.

2. 30(b)(6) depositions on non-transactional data topics will be limited to a total of 14 hours per defendant family. 30(b)(6) depositions on transactional data topics will be limited to a total of 6 hours per defendant family. These time limits will be extended for depositions in which interpreters are used, by the same ratio as for percipient witness depositions (*i.e.*, 12 hours for every 7 hours, or by 1.7 times).

3. The limits on 30(b)(6) depositions set forth in sections C.1 and C.2 above do not apply to the ACPERA amnesty applicant, but Plaintiffs and the ACPERA amnesty applicant agree to negotiate reasonable limitations on such depositions.

4. In the event that any percipient witness who has received a deposition notice is likely to be designated as a 30(b)(6) representative, or in the event that any 30(b)(6) designee is likely to be deposed in his or her individual capacity, the parties will use their best efforts to

coordinate so as to avoid multiple depositions of the same witness. To the extent reasonably possible, defendants will (i) notify Plaintiffs at least 30 days in advance of a noticed deposition that the witness should be deposed in both his or her individual and representative capacities, and (ii) produce any responsive, non-privileged documents from the witness's custodial files at least 30 days in advance of the deposition. The parties will meet and confer in good faith regarding reasonable time limits for depositions of any witnesses who will be deposed in both their individual and representative capacities.

D. Departing Employee Lists

Plaintiffs may establish "employee lists" of no more than 15 custodians/witnesses per defendant family. For each such identified custodian/witness, defendants shall timely inform Plaintiffs in writing if they become aware that such person intends to leave, or does leave, his or her employment, to the extent reasonably possible. Upon Plaintiffs' request, defendants shall make that person available for deposition either before or after his or her departure, to the extent reasonably possible. Plaintiffs may make changes to their employee lists on a quarterly basis. The parties' obligations pursuant to this provision will cease on December 31, 2015.

E. Service by E-Mail

The parties agree that all documents may be served by e-mail and have exchanged applicable e-mail addresses. Fed. R. Civ. P. 6(d) shall continue to apply, such that parties will have 3 additional days to act after being served by e-mail.

F. Modification of Limits

Any of the provisions and limits set forth in sections A through E above may be modified by agreement of the parties affected or by the Court for good cause.

Dated: May 11, 2015

JOSEPH SAVERI LAW FIRM, INC.

By: /s/ Joseph R. Saveri
Joseph R. Saveri

Joseph R. Saveri (SBN 130064)
Joshua P. Davis (SBN 193254)
Andrew M. Purdy (SBN 261912)

1 Matthew S. Weller (SBN 236052)
2 James G. Dallal (SBN 277826)
3 Ryan J. McEwan (SBN 285595)
4 505 Montgomery Street, Suite 625
5 San Francisco, CA 94111
6 Telephone: (415) 500-6800
7 Facsimile: (415) 395-9940
8 jsaveri@saverilawfirm.com
9 jdavis@saverilawfirm.com
10 apurdy@saverilawfirm.com
11 jdallal@saverilawfirm.com
12 rmcewan@saverilawfirm.com

Interim Lead Class Counsel for Direct Purchaser Plaintiffs

COTCHETT PITRE & McCARTHY, LLP

11 By: /s/ Adam J. Zapala
12 Adam J. Zapala

13 Joseph W. Cotchett (SBN 36324)
14 Steven N. Williams (SBN 175489)
15 Adam J. Zapala (SBN 245748)
16 Elizabeth Tran (SBN 280502)
17 Joyce Chang (SBN 300780)
18 840 Malcolm Road, Suite 200
19 Burlingame, CA 94010
20 Telephone: (650) 697-6000
21 Facsimile: (650) 697-0577
22 jcotchett@cpmlegal.com
23 swilliams@cpmlegal.com
24 azapala@cpmlegal.com
25 etran@cpmlegal.com
26 jchang@cpmlegal.com

Interim Lead counsel for Indirect Purchaser Plaintiffs

1 MINTZ, LEVIN, COHN, FERRIS, GLOVSKY
2 AND POPEO, P.C.

3 By: /s/ Bruce D. Sokler
4 Bruce D. Sokler

5 Bruce D. Sokler (admitted *pro hac vice*)
6 701 Pennsylvania Avenue NW, Suite 900
7 Washington, DC 20004
8 Telephone: (202) 434-7300
9 Facsimile: (202) 434-7400
10 bdsokler@mintz.com

11 Evan S. Nadel (SBN 213230)
12 44 Montgomery Street, 36th Floor
13 San Francisco, CA 94104
14 Telephone: (415) 432-6000
15 Facsimile: (415) 432-6001
16 enadel@mintz.com

17 *Attorneys for Defendant AVX Corporation*

18 WILMER CUTLER PICKERING HALE AND DORR
19 LLP

20 By: /s/ Heather S. Tewksbury
21 Heather S. Tewksbury

22 Heather S. Tewksbury (SBN 222202)
23 950 Page Mill Road
24 Palo Alto, CA 94304
25 Telephone: (650) 858-6134
26 Facsimile: (650) 858-6100
27 heather.tewksbury@wilmerhale.com

28 Thomas Mueller (admitted *pro hac vice*)
1875 Pennsylvania Avenue, NW
Washington, DC 20006
Telephone: (202) 663-6766
Facsimile: (202) 663-6363
thomas.mueller@wilmerhale.com

*Attorneys for Defendants ELNA Co. Ltd. and ELNA
America, Inc.*

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ J. Clayton Everett, Jr.
J. Clayton Everett, Jr.

Michelle Park Chiu (SBN 248421)
One Market, Spear Street Tower
San Francisco, CA 94105-1126
Telephone: (415) 442-1000
Facsimile: (415) 442-1001
mchiu@morganlewis.com

Scott A. Stempel (admitted *pro hac vice*)
J. Clayton Everett, Jr. (admitted *pro hac vice*)
1111 Pennsylvania Ave., NW
Washington, DC 20004
Telephone: (202) 739-3000
Facsimile: (202) 739-3001
sstempel@morganlewis.com
jeverett@morganlewis.com

Attorneys for Defendants EPCOS AG and EPCOS Inc.

MORRISON & FOERSTER LLP

By: /s/ Paul T. Friedman
Paul T. Friedman

Paul T. Friedman (SBN 98381)
Michael P. Kniffen (SBN 263877)
425 Market Street
San Francisco, California 94105-2482
Telephone: (415) 268-7000
Facsimile: (415) 268-7522
PFriedman@mofo.com
MKniffen@mofo.com

Jeffrey A. Jaeckel (admitted *pro hac vice*)
2000 Pennsylvania Avenue, NW Suite 6000
Washington, District of Columbia 20006-1888
Telephone: (202) 887-1500
Facsimile: (202) 887-0763
JJaeckel@mofo.com

*Attorneys for Defendants Fujitsu Limited, Fujitsu
Semiconductor America, Inc., and Fujitsu Components
America, Inc.*

1 WILSON SONSINI GOODRICH & ROSATI PC

2 By /s/ Jonathan M. Jacobson
3 Jonathan M. Jacobson

4 Jonathan M. Jacobson
5 Chul Pak (admitted *pro hac vice*)
6 Jeffrey C. Bank (admitted *pro hac vice*)
7 1301 Avenue of the Americas, 40th Floor
8 New York, New York 10019
9 Telephone: (212) 497-7758
Facsimile: (212) 999-5899
jjacobson@wsgr.com
cpak@wsgr.com
jbank@wsgr.com

10 Jeff VanHooreweghe (admitted *pro hac vice*)
11 1700 K Street, N.W., Fifth Floor
12 Washington, DC 20006
13 Telephone: (202) 973-8825
Facsimile: (202) 973-8899
jvanhooreweghe@wsgr.com

14 *Attorneys for Defendants Hitachi Chemical Co., Ltd.,*
15 *Hitachi Chemical Company America, Ltd., and*
16 *Hitachi AIC Incorporated*

17 JONES DAY

18 By: /s/ Eric P. Enson
19 Eric P. Enson

20 Jeffrey A. LeVee (SBN 125863)
21 Eric P. Enson (SBN 204447)
22 Rachel H. Zernik (SBN 281222)
23 555 South Flower Street, Fiftieth Floor
24 Los Angeles, CA 90071.2300
25 Telephone: (213) 489-3939
Facsimile: (213) 243-2539
jlevee@JonesDay.com
epenson@JonesDay.com
rzernik@jonesday.com

26 *Counsel for Defendants Holy Stone Enterprise Co.,*
27 *Ltd., Holy Stone International, Vishay Intertechnology Inc.,*
28 *and Vishay Polytech Co., Ltd.*

PILLSBURY WINTHROP SHAW PITTMAN LLP

By: /s/ Jacob R. Sorensen
Jacob R. Sorensen

Roxane A. Polidora (CA Bar No. 135972)
Jacob R. Sorensen (CA Bar No. 209134)
Lindsay A. Lutz (CA Bar No. 254442)
Four Embarcadero Center, 22nd Floor
San Francisco, CA 94111
Telephone: (415) 983-1000
roxane.polidora@pillsburylaw.com
jake.sorensen@pillsburylaw.com
lindsay.lutz@pillsburylaw.com

*Attorneys for Defendants KEMET Corporation and
KEMET Electronics Corporation*

DENTONS US LLP

By: /s/ Bonnie Lau
Bonnie Lau

Bonnie Lau (SBN 246188)
525 Market Street, 26th Floor
San Francisco, CA 94105
Telephone: (415) 882-5000
Facsimile: (415) 882-0300
bonnie.lau@dentons.com

Felix T. Woo (SBN 208107)
601 S. Figueroa Street, Suite 2500
Los Angeles, CA 90017
Telephone: (213) 623-9300
Facsimile: (213) 623-9924
felix.woo@dentons.com

Attorneys for Defendant Matsuo Electric Co., Ltd.

GIBSON, DUNN & CRUTCHER LLP

By: /s/ George A. Nicoud III
George A. Nicoud III

George A. Nicoud III (SBN 160111)
Eli M. Lazarus (SBN 284082)
Austin V. Schwing (SBN 211696)
555 Mission Street
San Francisco, CA 94105-0921
Telephone: 415-393-8308
Facsimile: 415-374-8473
tnicoud@gibsondunn.com
elazarus@gibsondunn.com
aschwing@gibsondunn.com

Matthew Parrott (SBN 302731)
3161 Michelson Drive
Irvine, CA 92612-4412
Telephone: (949) 451-3800
Facsimile: (949) 451-4220
mparrott@gibsondunn.com

*Attorneys for Defendants NEC TOKIN
Corporation and NEC TOKIN America, Inc.*

K&L GATES LLP

By: /s/ Michael E. Martinez
Michael E. Martinez

Scott M. Mendel (admitted *pro hac vice*)
Steven M. Kowal (admitted *pro hac vice*)
Michael E. Martinez (admitted *pro hac vice*)
Lauren N. Norris (admitted *pro hac vice*)
Lauren B. Salins (admitted *pro hac vice*)
70 West Madison Street, Suite 3100
Chicago, IL 60602
Telephone: (312) 372-1121
michael.martinez@klgates.com

*Attorneys for Defendants Nichicon Corporation and
Nichicon (America) Corporation*

LATHAM & WATKINS LLP

By: /s/ Ashley M. Bauer
Ashley M. Bauer

Belinda S. Lee (SBN 199635)
Ashley M. Bauer (SBN 231626)
505 Montgomery Street, Suite 2000
San Francisco, CA 94111-6538
Telephone: (415) 391-0600
Facsimile: (415) 395-8095
belinda.lee@lw.com
Ashley.bauer@lw.com

Attorneys for Defendant Nitsuko Electronics Corporation

BAKER & MCKENZIE LLP

By: /s/ Douglas Tween
Douglas Tween

Douglas Tween (admitted *pro hac vice*)
Darrell Prescott (admitted *pro hac vice*)
452 Fifth Avenue
New York, NY 10018
Telephone: (212) 626-4355
Facsimile: (212) 310-1655
Douglas.Tween@bakermckenzie.com
Darrell.Prescott@bakermckenzie.com

Meghan E. Hausler (admitted *pro hac vice*)
2300 Trammell Crow Center
2001 Ross Avenue
Dallas, TX 75206
Telephone: (214) 965-7219
Facsimile: (214) 965-5937
Meghan.Hausler@bakermckenzie.com

Colin H. Murray (SBN 159142)
Two Embarcadero Center, 11th Floor
San Francisco, CA 94111
Telephone: (415) 591-3244
Facsimile: (415) 576-3099
Colin.Murray@bakermckenzie.com

*Attorneys for Defendants Okaya Electric Industries Co.,
Ltd. and Okaya Electric America, Inc.*

WINSTON & STRAWN LLP

By: /s/ Jeffrey L. Kessler
Jeffrey L. Kessler

Jeffrey L. Kessler (admitted *pro hac vice*)
A. Paul Victor (admitted *pro hac vice*)
Molly M. Donovan (admitted *pro hac vice*)
Mollie C. Richardson (admitted *pro hac vice*)
200 Park Avenue
New York, New York 10166
Telephone: (212) 294-4698
Facsimile: (212) 294-4700
jkessler@winston.com
pvictor@winston.com
mmdonovan@winston.com
mrichardson@winston.com

Ian L. Papendick (SBN 275648)
101 California Street
San Francisco, CA 94111
Telephone: (415) 591-6905
Facsimile: (415) 591-1400
ipapendick@winston.com

Counsel for Defendants Panasonic Corporation, Panasonic Corporation of North America, SANYO Electric Co., Ltd., SANYO North America Corporation

O'MELVENY & MYERS LLP

By: /s/ Michael F. Tubach
Michael F. Tubach

Michael F. Tubach (SBN 145955)
Christina J. Brown (SBN 242130)
Two Embarcadero Center, 28th Floor
San Francisco, CA 94111
Telephone: (415) 984-8700
Facsimile: (415) 984-8701
mtubach@omm.com
cjbrown@omm.com

Kenneth R. O'Rourke (SBN 120144)
400 South Hope Street, 18th Floor
Los Angeles, CA 90071
Telephone: (213) 430-6000
Facsimile: (213) 430-6407
korourke@omm.com

*Attorneys for Defendants ROHM Co., Ltd. and
ROHM Semiconductor U.S.A., LLC*

HUNTON AND WILLIAMS LLP

By: /s/ Djordje Petkoski
Djordje Petkoski

Djordje Petkoski (admitted pro hac vice)
David A. Higbee (admitted pro hac vice)
Leslie W. Kostyshak (admitted pro hac vice)
2200 Pennsylvania Avenue, N.W.
Washington, D.C. 20037
Telephone: (202) 955-1500
Facsimile: (202) 778-2201
dpetkoski@hunton.com
dhigbee@hunton.com
lkostyshak@hunton.com

M. Brett Burns (SBN 256965)
575 Market Street, Suite 3700
San Francisco, California 94105
Telephone: (415) 975-3700
Facsimile: (415) 975-3701
mbrettburns@hunton.com

*Attorneys for Defendants Rubycon Corporation and
Rubycon America Inc.*

McKENNA LONG & ALDRIDGE LLP

By: /s/ Andrew S. Azarmi
Andrew S. Azarmi

Andrew S. Azarmi (SBN 241407)
Spear Tower, One Market Plaza, 24th Floor
San Francisco, CA 94150
Telephone: (415) 267-4000
Facsimile: (415) 267-4198
aazarmi@mckennalong.com

Gaspere J. Bono (admitted *pro hac vice*)
Stephen M. Chippendale (admitted *pro hac vice*)
Claire M. Maddox (admitted *pro hac vice*)
1900 K Street, NW
Washington, DC 20006
Telephone: (202) 496-7500
Facsimile: (202) 496-7756
gbono@mckennalong.com
schippendale@mckennalong.com
cmaddox@mckennalong.com

*Attorneys for Defendants Shinyei Kaisha, Shinyei
Technology Co., Ltd., Shinyei Capacitor Co., Ltd., and
Shinyei Corporation of America, Inc.*

HUGHES HUBBARD & REED LLP

By: /s/ Ethan E. Litwin
Ethan E. Litwin

Ethan E. Litwin (admitted *pro hac vice*)
Morgan J. Feder (admitted *pro hac vice*)
One Battery Park Plaza
New York, NY 10004-1482
Telephone: (212) 837-6000
Facsimile: (212) 422-4726
Ethan.Litwin@hugheshubbard.com
Morgan.Feder@hugheshubbard.com

David H. Stern (CA Bar No. 196408)
Carolyn Sahimi (CA Bar No. 260312)
350 South Grand Avenue
Los Angeles, CA 90071-3442
Telephone: (213) 613-2800
Facsimile: (213) 613-2950
David.Stern@hugheshubbard.com
Carolyn.Sahimi@hugheshubbard.com

*Attorneys for Defendants Soshin Electric Co., Ltd.
and Soshin Electronics of America, Inc.*

ROPES & GRAY LLP

By: /s/ Mark S. Popofsky
Mark S. Popofsky

Mark S. Popofsky (SBN 175476)
One Metro Center
700 12th Street NW, Suite 900
Washington, DC 20005-3948
Telephone: (202) 508-4624
Facsimile: (202) 508-4650
mark.popofsky@ropesgray.com

Jane E. Willis (admission *pro hac vice* pending)
800 Boylston Street
Boston, MA 02199-3600
Telephone: (617) 951-7603
Facsimile: (617) 235-0435
jane.willis@ropesgray.com

*Attorneys for Taitso Corporation and Taitso
America, Inc.*

CADWALADER, WICKERSHAM & TAFT LLP

By: /s/ Daniel J. Howley
Daniel J. Howley

Charles F. Rule (admitted *pro hac vice*)
Joseph J. Bial (admitted *pro hac vice*)
Daniel J. Howley (admitted *pro hac vice*)
700 Sixth Street, Northwest
Washington, DC 20001
Telephone: (202) 862-2200
Facsimile: (202) 862-2400
rick.rule@cwt.com
joseph.bial@cwt.com
daniel.howley@cwt.com

Counsel for Defendant United Chemi-Con, Inc.

Pursuant to Civil L. R. 5-1(e)(3), I attest that concurrence in the filing of this document
has been obtained from each of the other signatories above.

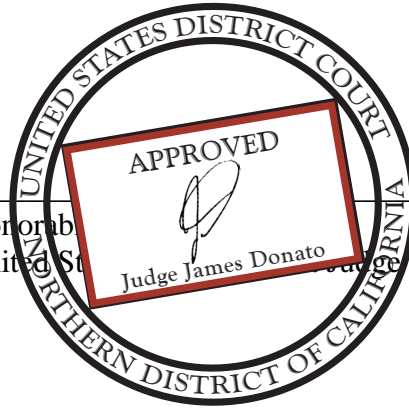
Dated: May 11, 2015

By: /s/ Michael F. Tubach
Michael F. Tubach

1 **IT IS SO ORDERED.**

2
3 Dated: May 28, 2015

Honorable
United States



28